

OCTOBER 17, 1978

The Board of County Commissioners, Manatee County, Florida, met in REGULAR SESSION, in the Courthouse, Bradenton, Florida, Tuesday, October 17, 1978 at 9:05 a.m.

Present were Commissioners
 Louis E. Driggers, Chairman
 Dan P. McClure, Vice Chairman
 L.H. Fortson, Jr
 R.W. Fowinkle, III

Commissioner Lamar S. Parrish entered during the meeting.

Also present were:
 E.N. Fay, Jr, County Attorney
 L. Frappier, representing R.B. Shore, Clerk
 C. Carrington, representing D.B. Collier, Co. Administrator

The meeting was called to order by the Chairman.

Invocation by Rev. Walder A Smith, Retired, Congregational Church

PARTICIPATION PROJECT NO. 929

Public Hearing, continued October 3, 1978, was opened for purpose of considering

Project 929 - to pave Mendez Drive, from Magellan Dr. to Dead end, to include curbing at \$10.84 per front foot.

Bob Moon, Right of Way Agent, submitted letter from Andrew Sandegren, proposing that when Mendez Drive is paved, the existing median strip with palm trees be preserved; that if curbing is needed along the preserved area, the cost be pro-rated to the property owners.

Calvin Rowe, 610 Mendez Dr., said he had no objection to keeping the palm trees if it does not delay the project.

Public hearing was closed.

Motion was made by Mr Fowinkle to adopt resolution ordering the special improvements on project No. 929 and authorizing preparation of a Preliminary Special Assessment Roll for public hearing on October 31, 1978. Motion was seconded by Mr Parrish and carried unanimously.

✓ RESOLUTION RECORDED S5-171

(Mr Fowinkle departed the meeting)

CABLE TELEVISION FRANCHISE - SOUTHLAND COMMUNICATIONS OF PALMETTO, INC.

Public Hearing was opened for purpose of hearing and considering any and all presentations regarding the granting of franchise to Southland Communications of Palmetto, Inc to construct, operate and maintain cable television systems in Manatee County, Florida, and a proposed Cable Television Franchise Agreement with said Company.

Paul Whyte, 1440 Turkshead Bldg, Providence, R.I., representing Southland Communications of Palmetto, Inc., was present to answer any questions and submitted written material outlining character, financial, technical and other qualifications of the company. He explained that Southland is negotiating to purchase Palmetto Cablevision from Robert Stinnett and furnish and expand service to residents north of Manatee River.

Alan Shaw, local manager, Palmetto Cablevision, who will be managing Southland Communications, stated a feasibility study revealed that service is desired by residents of Snead Island, Ellenton, Palmetto Point/Bay Coloney and Skyway Village Mobilehome Park.

The County Attorney recommended action be deferred pending further investigation and review of the documents and credentials of Southland Communications, and the Chairman declared the public hearing continued to October 31, 1978.

GRANTS DEVELOPMENT DEPARTMENT

Regis Chapman, Director, Grants Development Department, submitted requests outlined in his letter dated October 13, 1978.

- (1) Approval of four CETA Title On-the-Job Training Contracts:
 - (a) R-188, Morgan Welding Service, \$2,686.
 - (b) R-189, Boys Club of Manatee County, \$2,552.
 - (c) R-190, Oliver Volkswagon, Inc., \$3,161.
 - (d) R-191, Marsten Leasing Corporation, \$1,500.

CONTRACTS RECORDED
- (2) Reclassification of CETA Title VI Project positions in Manatee County Parks and Recreations:
 - Delete 1 Groundskeeper I, at \$3.01 an hour
 - Add 1 Clerk Typist I, at \$3.08 an hour
 - Delete 1 Groundskeeper I, at \$3.01 an hour
 - Add 1 Clerk Typist II, at \$3.21 an hour
- (3) Reclassification of CETA Title VI positions in the Manatee County Utilities System:
 - Delete 1 Utility Clerk I, at \$3.21 an hour
 - Add 1 Water Serviceman I, at \$3.49 an hour
- (4) Reclassification of Title VI in Manatee County School Board:
 - Delete 1 Emergency Medical Tech. Spec, at \$3.28 an hour
 - Add 1 Teacher Aide, at \$2.76 an hour
- (5) Reclassification of positions in Manatee County Veterans Service Center:
 - Delete 1 Clerk Typist I, at \$3.08 an hour
 - Add 1 Veterans Service Specialist, at \$3.64 an hour
- (6) Authorize Chairman to execute Certificate of Acceptance of Subgrant Award on behalf of Girls Clubs of Manatee County for LEAA (JJDP) Project, East Bradenton C.A.R.D.D., for a total program amount of \$6,850.
- (7) Authorize Chairman to execute a contract between the Board of County Commissioners and the Girls Club of Manatee County to formalize the agreement for provision of services for LEAA East Bradenton C.A.R.D.D. program (ref item (6) above).

CONTRACT RECORDED S5-172
- (8) Appoint seven individuals to serve on the Manatee County Manpower Advisory Council, as recommended by the Council.
- (9) Board adopt a resolution authorizing submission of application for LEAA grant in the amount of \$12,500 for establishment of a criminal justice planning unit.

RESOLUTION RECORDED S5-173
- (10) Authorize Chairman to execute application for LEAA Part B funds for purpose of establishing criminal justice planning unit within Department of Grants Development. Project budget to include \$12,500 Federal funds, \$695 State funds, and \$695 in local match for total of \$13,890; and instruct Clerk's office to prepare appropriate resolution to make the funds available for local cash match.

Motion was made by Mr McClure to approve items 1, 2, 3, 4, 5, 6, 7, 9, and 10 of Mr Chapman's letter, and adopt resolution (in connection with LEAA Grant for Criminal Justice Planning Unit, ref. item 9). Motion was seconded by Mr Parrish and carried unanimously.

Following brief discussion of names of individuals recommended for appointment to the Manpower Advisory Council, Mr McClure requested appointments be deferred to the following Thursday. There were no objections.

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SAMOSSET COMMUNITY CENTER (FENCE)

Mr Chapman submitted verbal request that the Board concur in concept with proposed security measures (fence) at Samoset Community Center, then authorize the County Attorney, County Administrator and Grants Development Department to establish effective mechanism to achieve objectives of the proposal to be submitted to the Board for consideration on October 28, 1978.

Ralph Umana, Deputy Clerk, outlined alternative methods of making funds available.

- 1) lump sum distribution, under which the Community Center would be required to furnish proof of non-profit status, a list of their directors and a financial statement.
- 2) Board approval of \$2500 for the project, subject to regular Purchasing Department procedures.

He recommended the second method.

Motion was made by Mr McClure to accept recommendation made by Mr Umana, (2) and approve budget resolution from Contingency in the amount of \$2500. Motion was seconded by Mr Parrish.

During discussion, the County Attorney expressed concern as to proof of public purpose and recommended that the Board authorize the Grants Development Department, the Clerk's office and the County Attorney to work together on the concept, and make recommendations to the Board. The motion and second were withdrawn in favor of referring the matter to the departments recommended by the County Attorney.

ECONOMIC DEVELOPMENT PLAN

In order to comply with Federal regulations and bring total membership of the Overall Economic Development Plan Committee up to twelve, Charles Carrington, Planning Director, submitted following names for the Board's consideration.

- 1) A.G. Putnam, Florida Power & Light Co. - represent Utilities
- 2) William Bashaw, Manatee County School Board - represent education
- 3) John Oglesby, Tropicana, Inc - represent industry
- 4) Dr Gnu Tat, Vietnamese Emigrant, - represent under-employed

He stated that he has not personally interviewed Dr Gnu Tat and does not know if he is willing to serve, although he was recommended by M.C. Quattlebaum (a member of the committee).

In order to permit Mr Carrington to contact Dr Tat, appointments were deferred pending response from Dr. Tat.

JAIL FACILITIES SITE

Mr Carrington submitted comparative cost study of two previously proposed jail sites:

- A) 6th Avenue East (County owned property)
- B) the block located between Manatee Avenue West and 6th Avenue West, and between 3rd Street West and Atlantic Coast Line Railroad (selected by NAACP and local residents).

He pointed out that the estimated cash outlay for site preparation on Site "A" is \$4,000, whereas Site "B" will cost \$440,000.

Following discussion, it was the concensus of the Board that Site "B" is not feasible, and Mr Carrington was instructed to appear before the City Planning Commission Wednesday (October 18th) and request decision on Site "A" with report to the Board of Commissioners the following Thursday.

PURCHASING DEPARTMENT

In the absence of the Purchasing Director, Mr Carrington submitted

recommendations of the Purchasing Director, dated October 11, 1978.

MANATEE COUNTY UTILITIES

- A.1 Various vehicles (1967 GMC Pickup, Asset #12627; 1971 Chev. sedan #13151; 1970 Chev. sedan #12958; 1969 Chev. sedan #13209)
- a. Permission to Cannibalize.

Motion was made by Mr Fortson to approve the request to cannibalize the four vehicles. Motion was seconded by Mr Parrish and carried unanimously.
(Re-enter Mr Fowinkle)

and oral request, as follows:

PARKS & RECREATION

1. Fishing Reefs
 - a. Award bid to Marine Construction & Salvage Unlimited, Inc. at \$120.00 per hour, not to include standby time.

Motion was made by Mr Fowinkle to award the bid to Marine Construction & Salvage Unlimited as recommended. Motion was seconded by Mr Parrish and carried unanimously.

WATER DISTRIBUTION MAIN/ERIE ROAD - CONTRACT

Mr McClure moved to approve and authorize Chairman to execute contract with

Patterson-Wilder (Pelham, Alabama) for construction of 16" Water Transmission Line on Erie Road, Project No. 630-631-01, in the amount of \$720,976.60; 240 days.

Motion was seconded by Mr Parrish and carried unanimously.

WATER SYSTEM IMPROVEMENTS (36" WATER MAIN); CHANGE ORDER; ESTIMATE

Motion was made by Mr Parrish to authorize the Chairman to execute

Change Order No. 1 - Bryant Electric Company, Inc
Project No. 630-761-06, 36"
Water Transmission & Distribution
Line to decrease the amount of the
Contract by \$19,475.00

Motion was seconded by Mr McClure and carried unanimously.

Motion was made by Mr Parrish to approve and authorize payment of

Estimate No.1, Bryant Electric Co., Inc, in the amount of \$814,038.80

Motion was seconded by Mr McClure and carried unanimously.

WATER & SEWER IMPROVEMENTS - BILLS FOR PAYMENT

Based on recommendations by Mr Pittman, Mr McClure moved to approve payment to

Russell & Axon - \$47,028.01

Motion was seconded by Mr Fowinkle and carried unanimously.

MCUS UTILITY EASEMENTS

Motion was made by Mr Parrish to accept and authorize recordation of utility easements from

- 1) Ronald K. and Ruthie G. Jones
- 2) Paul C. and Kay A. Gilmore
- 3) Montine G. Gilmore

Motion was seconded by Mr McClure and carried unanimously.

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WATER SYSTEM EXTENSION: SNEAD ISLAND

In response to request by Mr McClure that the Board consider extension of County water service to residents of Snead Island, the County Attorney advised that he would be reluctant to advise the Board to take any positive action on this matter prior to his review and evaluation of a lawsuit (City of Palmetto vs Manatee County) alleging \$10,000 damages to the City by the County in connection with County purchase of three privately owned water systems in Palmetto area; a suit to impose constructive trust, and requesting territory judgment of the right of the County under Agreement for Purchase of Water (from the County by the City).

WATER TREATMENT PLANT RETENTION PONDS

Mr Pittman gave a progress report on the repair of the retention ponds at the water treatment plant, advising that the job should be completed by the end of the week.

STATE ROAD 70 (OLD)/ BLOCKADE - (SIXBEY)

The County Attorney submitted Memorandum from Robert Moon, Right of Way Agent, advising that John Sixbey has erected a gate across a county maintained road, Old State Road 70, Section 18, Township 36-S, Range 22-E, (near Myakka City) blocking the access of Ralph Beasley to his property.

Motion was made by Mr Fowinkle to authorize County Attorney to write letter to Mr Sixbey demanding removal of the gate from public road. Motion was seconded by Mr Parrish and carried unanimously.

MANATEE COUNTY CIVIC CENTER AUTHORITY

The County Attorney submitted

RESOLUTION APPOINTING MEMBERSHIP OF THE
MANATEE COUNTY CIVIC CENTER AUTHORITY

as follows:

Unincorporated Area:

Robert E. Christopher - two years
Vernon DeSear Jr - four years
Harold Haley - four years
John P. Harllee III - two years

Incorporated Areas:

John H. Holland, III - two years
Wheeler Leeth - four years.
O.M. Griffith - four year

Motion was made by Mr Fowinkle to adopt the resolution. Motion was seconded by Mr Parrish and carried unanimously.

RESOLUTION RECORDED S5-174

LAWSUIT: BEKER PHOSPHATE CORP; PROPERTY APPRAISAL ADJUSTMENT BOARD

The County Attorney referred to his letter dated October 16, 1978,

Re: Beker Phosphate Corp. vs Property Appraisal Adjustment Board of Manatee County, Florida, Case No. CA-78-1847 in the Circuit Court of Manatee County, Florida,

filed October 12, 1978, as a Petition for Writ of Prohibition requesting the Court to prohibit the Property Appraisal Adjustment Board from reconsidering or rehearing the tentative decision rendered by the Board in connection with Petition 78-15, in the name of Beker Phosphate Corp, wherein the Board

previously granted Beker an agricultural classification for particular real property, then caused notice to be published that it would reconsider the decision on October 16, 1978; that an Order to Show Cause, entered 10/13/78, stayed the reconsideration or rehearing previously scheduled for 10/16/78.

He recommended that, in capacity as attorneys for the County, his office be authorized to represent the Property Appraisal Adjustment Board in this litigations and render such professional services as may be necessary to protect the interest of said Board.

Motion was made by Mr McClure that recommendation of the County Attorney be approved. Motion was seconded by Mr Parrish and carried unanimously.

BRADENTON BEACH, CITY OF - DOUBLE TAXATION

The County Attorney submitted and recommended adoption of proposed

RESOLUTION OF MANATEE COUNTY, FLORIDA,
RESPONDING TO RESOLUTION NO. 355 OF THE
CITY OF BRADENTON BEACH, FLORIDA,

and explained that this resolution is the County's response to the request from City of Bradenton Beach for double taxation relief, under provisions of Florida Statutes, Section 125.01.

Motion was made by Mr Fortson to adopt the resolution. Motion was seconded by Mr Fowinkle and carried unanimously.

RESOLUTION RECORDED S5-175

HIGHLANDS SUBDIVISION - VACATION OF STREET

The County Attorney stated that he has reviewed and found legally insufficient the proposed document submitted by Frank Harrison requesting readoption of Resolution (6/27/78) to vacate a street in Highlands Subdivision. With permission of the Board, he said he would prepare and submit the appropriate document for consideration on the following Thursday. There were no objections.

BILLS FOR PAYMENT

Upon motion by Mr Fortson, seconded by Mr Fowinkle, following bills were unanimously approved for payment.

Smith, Young & Blue, P.A. (July '78)	\$3,595.06
Refunds:	
Johnson Electric (Elec. Permit)	29.50
DeSears Appliance (HARV Permit)	24.00
Cordelia Hollis (EMS dup. payment)	56.00
Marcus A. Myers	10.00
Edwin T. Mulock (Court Order):	
Public Defender's Fees	1,200.00
Plus Costs	458.35
State Department of Revenue (Golf Course)	1,043.94

and the Chairman authorized to sign Sales and Tax Use Reports for the Golf Course and the Board of County Commissioners.

WARRANT LIST

Motion was made by Mr Parrish to approve Warrant Lists from October 10 to October 17, 1978, and to authorize Warrant Lists to October 24, 1978 to include any payrolls during that period upon condition that all employees have performed their services in accordance with time and payroll practices of the county departments. Motion was seconded by Mr Fowinkle and carried unanimously.

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LIBRARY: BOOKMOBILE/BOOK RENTAL

Mr Fowinkle submitted memorandum from Phil Place, Director, Library System, proposing a rental agreement with Joe Steen's Library Services for 540 books to be used in the Bookmobile on a monthly rotation basis, at \$148.00 per month.

Upon the recommendation of the County Attorney, this matter was referred to the County Administrator.

GOLF COURSE: WORK SERVICE AGREEMENT

Following brief discussion of Work Service Agreement submitted by Parks and Recreation Director, to employ a Golf Cart Attendant at the County Golf Course, action was deferred to the following Thursday.

MEETING ADJOURNED

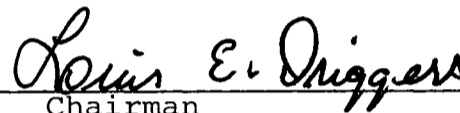
There being no further business, the meeting was declared adjourned.

Attest:

APPROVED:



Clerk



Chairman